

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GARY GRYZWA,

Plaintiff,

vs.

ALLIANCE MECHANICAL, INC., *et al.*,

Defendant,

2:11-cv-30-RCJ-RJJ


O R D E R

This matter came before the Court for a hearing on Plaintiff's Motions to Compel (#50 and #61). Though filed twice, the Motion to Compel is identical in each filing. The Plaintiff did add three exhibits to the second filing. (#61). The additions include a copy of the First Set of Interrogatories Directed to Mark W. Vernon, a Declaration of Eric B. Myers [Plaintiff's Attorney] and a proposed order granting the motion to compel. Plaintiff is seeking an order to compel "full and complete answers to Plaintiff's First Request for Production of Documents and First Set of Interrogatories Directed to Defendant Mark W. Vernon."

The Defendant, Mark W. Vernon, filed a Suggestion of Bankruptcy (#78) on August 20, 2012. Defendants Mark W. Vernon and Dawn M. Vernon filed bankruptcy under Chapter 11 in Case No. 12-19554-MKN. This was confirmed by the Plaintiff in a Notice to the Court (#80) filed on September 5, 2012. Therefore, the Plaintiff has stated that he will "not take further action against them in this matter owing to the automatic stay. . . ." See, Notice (#80). Good cause appearing therefore,

1 IT IS HEREBY ORDERED that Plaintiff's **Motions to Compel (#50 and #61)** are
2 **DENIED WITHOUT PREJUDICE.**

3 DATED this 12th day of September, 2012.

4
5 
6 ROBERT J. JOHNSTON
United States Magistrate Judge